

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

KEVIN BUTTS,

Plaintiff,

V.

**MARTIN O'MALLEY, COMMIS-
SIONER OF THE SOCIAL SECURITY
ADMINISTRATION,**

Defendant.

CIVIL NO. W-24-CV-00167-ADA

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Derek T. Gilliland. ECF No. 9. The report recommends Defendant's Unopposed Motion to Reverse With Remand and Enter Judgment, ECF No. 8, be **GRANTED**. The report and recommendation was filed on August 5, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

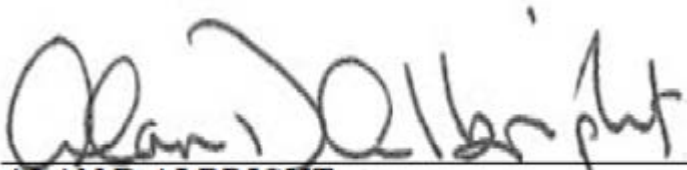
When no objections are timely filed, a district court reviews the magistrate judge's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 Advisory Committee's Note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Gilliland, ECF No. 9, is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant Martin O'Malley's Motion, ECF No. 8, is **GRANTED**.

IT IS FINALLY ORDERED that this case is **REVERSED** and **REMANDED** for further action by the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g). Upon remand, the Commissioner will take any further action needed to complete the administrative record, including offering Claimant the opportunity for a hearing, and issue a new decision.

SIGNED this 20th day of August, 2024.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE